

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MASSACHUSETTS**

Civil Action No. 04-12101 NG

GAYLE L. BAILEY,

Plaintiff

VS.

UNITED STATES OF AMERICA,

Defendants.

CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

Pursuant to Local Rule 16.1(D)(3), the undersigned hereby certify that counsel for the plaintiff Maria Murber and the Plaintiff, Gayle L. Bailey, have conferred regarding the matters described in Local Rule 16.1(D)(3)(a) and (b).

/s/ Maria Murber
 Maria Murber
 Attorney for the Plaintiff

/s/ Gayle L. Bailey
Gayle L. Bailey,
Plaintiff

Dated: October 18, 2005